

**From:** Bill Rigby  
**To:** Stohrer, Sharon  
**Date:** 7/1/2008 2:21:52 PM  
**Subject:** Re: Supplemental Statement - 2008

S004690  
PARTY ID - 476329

Hi Sharon, Thanks for the O/A change info. We normally don't grant extensions of time when people are late submitting their Supplementals. Under the circumstances it would be acceptable if the new owners returned the form within 30 days after the due date. I will make the changes to the database and assign Sharon Hern as the contact. Thanks.

Bill Rigby  
Engineering Associate  
State Water Resources Control Board  
Division of Water Rights  
brigby@waterboards.ca.gov  
(916) 341- 5376

>>> "Sharon Stohrer" <SSTOHRER@dfg.ca.gov> 7/1/2008 8:55 AM >>>  
Good afternoon Bill,

The Department of Fish and Game has received a Supplemental Statement of Water Diversion and Use for the pre-1914 water right identified as S004690. This water right allows for storage of flow from Jaybird Creek in Finnon Reservoir, El Dorado County. The Department is no longer the owner of lands associated with Finnon Dam, fishing access, campground, or this water right.

In 1997 the Department transferred land holdings of the Finnon Lake Fishing Area to the Mosquito Volunteer Fire Department, El Dorado County. (See attached Quitclaim Deed and Exhibit A.) It has just been brought to our attention that ownership records for S004690 should be updated for the SWRCB. Please update your files and database with a transfer of ownership on S004690 from the Department of Fish and Game to:

Mosquito Volunteer Fire Department  
Attn: Leslie Baumgartner, Chairperson  
9009 Orval Beckett Court  
Placerville, CA 95667

A representative for the Mosquito Volunteer Fire Department ("Association") is currently Sharon Hern, who may be contacted at (530) 626-5268.

Your cover letter and 2008 Supplemental Statement form were issued for reporting years 2005, 2006, 2007. Reporting on water use during these years should be provided by a representative of the Mosquito Volunteer Fire Department. This 2008 form and cover letter have been sent to the MVFD by US mail, however we request that you provide an extension of time for their response to this timely reporting.

Thank you,  
Sharon Stohrer

\*\*\*\*\*

Sharon J. Stohrer  
Environmental Scientist  
Department of Fish and Game  
1701 Nimbus Road  
Rancho Cordova, CA 95670  
(916) 358-2384



S004690

**From:** "Sharon Stohrer" <SSTOHRER@dfg.ca.gov>  
**To:** BRigby@waterboards.ca.gov  
**Date:** 7/1/2008 10:17:50 AM  
**Subject:** Supplemental Statement - 2008

Good afternoon Bill,

The Department of Fish and Game has received a Supplemental Statement of Water Diversion and Use for the pre-1914 water right identified as S004690. This water right allows for storage of flow from Jaybird Creek in Fannon Reservoir, El Dorado County. The Department is no longer the owner of lands associated with Fannon Dam, fishing access, campground, or this water right.

In 1997 the Department transferred land holdings of the Fannon Lake Fishing Area to the Mosquito Volunteer Fire Department, El Dorado County. (See attached Quitclaim Deed and Exhibit A.) It has just been brought to our attention that ownership records for S004690 should be updated for the SWRCB. Please update your files and database with a transfer of ownership on S004690 from the Department of Fish and Game to:

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Thank you,  
Sharon Stohrer

\*\*\*\*\*

Sharon J. Stohrer  
Environmental Scientist  
Department of Fish and Game  
1701 Nimbus Road  
Rancho Cordova, CA 95670  
(916) 358-2384

**CC:** WTOY@waterboards.ca.gov; VWHITNEY@waterboards.ca.gov;  
rshern@netscape.com; KSMITH@dfg.ca.gov

**Memorandum**

To: Miss Jacqueline E. Schafer, Director  
Department of Fish and Game

Date: February 19, 1998

From: Wildlife Conservation Board, 801 K Street, Suite 806, Sacramento, California 95814

Subject: Record of Real Property Sale/Disposal --  
Project: Finnon Lake Fishing Access, El Dorado County

Attached are the following items in connection with the transfer of the subject property out of State ownership:

- ☒ Summary of Transaction
- ☒ Copy of Deed whereby the State acquired the property on May 21, 1956.
- ☒ Copy of Quitclaim Deed whereby the State transferred the property on September 8, 1997.
- ☒ Operation and Maintenance Agreement (terminated December 10, 1997).
- ☒ Plat or map of the transferred property.

Please note the following pertinent information:

Authority for Disposal: ☒ Fish & Game Code Section 1348  
☒ Wildlife Conservation Board meeting of August 14, 1997.

Sales Price: See Summary of Transaction.

Fund Receiving Proceeds of Sale: See attached Summary of Transaction.

Parcel Size: 122± acres

Improvements Included in Sale: Hydraulic fill dam, eight campsites and related facilities.

General Location/Property Address: North side of Rock Creek Road, 15± miles north of Placerville and 8± miles east of Coloma, in El Dorado County.

Yes No

- ☐ ☒ Other real property was accepted by the State as partial consideration. A memorandum of land acquisition is attached for your records showing the pertinent information regarding the newly acquired property.

Yes No

- ☒ ☐ At the time of sale, the State reserved an interest in the sold property. A Summary of Transaction is attached for your records showing the pertinent information regarding the reserved interest.

Original signed by  
James V. Sarro

*for* W. John Schmidt  
Executive Director

Attachments

cc: ☒ NHD - Lands Inventory (w/all attach)  
Fiscal - Property  
DGS - RESD - Real Estate Sales and Review Unit (w/attach)  
Terry Muzik, Staff Services Analyst, WCB

RECEIVED

FEB 24 1998

NHD

## SUMMARY OF TRANSACTION

By its action on August 14, 1997, the Wildlife Conservation Board (WCB) authorized the transfer of 122± acres of Department of Fish and Game (DFG) owned land to the Mosquito Volunteer Fire Department (MVFD). The lake located on this property is surrounded by eight campsites and related facilities, and has been managed by the County of El Dorado (through a concessionaire) under the WCB's standard operation and maintenance agreement. The agreement was terminated December 10, 1997.

Finnon Lake was purchased from Pacific Gas and Electric, pursuant to action of the WCB in 1956, mainly because of its warmwater fishery values, although the lands surrounding the lake also had very high deer habitat values. However, since that time, development in the area surrounding the lake has negated most of its value for deer and other wildlife. In addition, in 1990, the Division of Safety of Dams (DSOD) determined that the dam (constructed in 1905 from hydraulic fill) did not meet safety standards and must be rehabilitated/replaced within three to five years at a cost estimated by DFG to be between \$2,100,000 and \$3,400,000. An alternative would be to lower the lake to three-acre feet, which removes it from DSOD's jurisdiction, at an estimated cost of \$175,000. In this capacity, the lake could still be maintained as a fishery or recreational area. However, because of DFG's current financial status and the fact that the property has lost most of its value as a wildlife area, DFG requested that WCB take the necessary steps to dispose of the property.

The approved fair market value of the property, after accounting for costs of lowering the lake level, is \$125,000. The MVFD agreed to acquire the property so that they can continue to protect the natural habitat and to provide some recreational opportunities that people have come to enjoy for so many years. Because of the high estimated cost to remove or improve the dam to meet the requirements of DSOD, coupled with MVFD's interest in this property for continued recreation, WCB accepted MVFD's offer of less than fair market value, provided the property remain in an open space/recreational use.

The State's Quitclaim Deed includes the following conditions: 1) the State has the first right to purchase the property, at its fair market value, should MVFD elect to sell; and 2) in the event that MVFD should no longer use the subject property for public recreational/open space purposes, said property, at the discretion of the State, shall revert to the State.

044574

OFFICIAL RECORDS  
EL DORADO COUNTY CALIF  
RECORD REQUESTED BY

Placer Title Company

97 SEP -8 PM 1:59

WILLIAM DAVID SCHULTZ  
COUNTY RECORDER-CLERK

WHEN RECORDED MAIL TO

State of California  
Wildlife Conservation Board  
801 K Street, Suite 806  
Sacramento, California 95814

NO FEE

SPACE ABOVE THIS LINE FOR RECORDER'S USE

## Quitclaim Deed

APN 84-02-013

Agency: Department of Fish and Game  
Wildlife Conservation Board

Project: Fannon Lake Fishing Access

Parcel: El Dorado County TR 97 047-B

PCOS  
FILED

The STATE OF CALIFORNIA, herein referred to as State, does hereby remise, release and forever quitclaim to the MOSQUITO VOLUNTEER FIRE DEPARTMENT, a non-profit organization hereinafter referred to as Grantee, all the right, title and interest of the undersigned in and to the following described real property in the County of El Dorado, State of California:

See Exhibit "A" attached hereto and by reference made a part hereof.

In acceptance of this deed, the Grantee agrees to the following terms and conditions:

1. In the event the Grantee elects to sell the subject property, Grantee shall allow State, its successors or assigns the first right to purchase said property for its then appraised fair market value as determined by the State within 120 days after Grantee notifies State in writing of its intention to sell.
2. In the event that Grantee, its successors or assigns no longer use the subject property for public recreational/open space purposes, title to said property, at the election of State, shall revert to State.

DOCUMENTARY TRANSFER TAX \$ 0  
 \_\_\_\_\_ COMPUTED ON FULL VALUE OF PROPERTY CONVEYED.  
 \_\_\_\_\_ OR COMPUTED ON FULL VALUE LESS LIENS AND  
 ENCUMBRANCES REMAINING AT TIME OF SALE.

UNDERSIGNED

Signature of Declarant or Agent determining tax:

Firm Name

Dated: 8-14-97

STATE OF CALIFORNIA

APPROVED:  
Department of General ServicesBy: W. John Schmidt  
W. John Schmidt  
Executive Director  
Wildlife Conservation BoardBy: [Signature]  
Assistant Program Manager  
Real Estate Services

BOOK 4988 PAGE 582

82-0150

EXHIBIT A

PROJECT AREA LEGAL DESCRIPTION

That real property in El Dorado County, State of California, in Sections 15 and 16, Township 11 North, Range 11 East, M.D.B.M., which property encompasses the lake and dam forming Finnion Reservoir and structures appurtenant thereto, containing 121 acres, more or less.

Parcel 1. The N 1/2 of the SE 1/4 of Section 16.

Parcel 2. The N 1/2 of the SW 1/4 of the SE 1/4 of Section 16.

Parcel 3. A portion of the N 1/2 of the SE 1/4 of the SE 1/4 Section 16 described as follows: Beginning at the S.E. corner of Section 16, Township 11 North, Range 11 East, M.D.B.M., thence N 3° 15' 30" West, a distance of 1,363.22 feet to the Northeast corner of the SE 1/4 of the SE 1/4 of Section 16, said corner being the true point of beginning, thence North 87° 45' West a distance of 1,310.76 feet to the center of the SE 1/4 of Section 16, thence South 0° 25' 30" East on the centerline of the SE 1/4 of Section 16 a distance of 544.5 feet, thence North 75° 15" East a distance of 1,369.5 to a point on the East line of Section 16, thence North 3° 15' 30" West a distance of 181.5 feet to the point of beginning, containing 11 acres, more or less.

Parcel 4. A portion of the NW 1/4 of the SW 1/4 of Section 15, Township 11 North, Range 11 East, M.D.B.M., described as follows: Beginning at the Southeast corner of Section 16, Township 11 North, Range 11 East, M.D.B.M., thence North 3° 15' 30" West a distance of 2,726.5 feet to the East quarter corner of said Section 16, thence South 3° 15' 30" East a distance of 158.0 feet along the East line of said Section 16 to the true point of beginning, thence East a distance of 500.0 feet, thence South a distance of 895.0 feet, thence West a distance of 449.01 feet to the East line of said Section 16, thence North 3° 15' 30" West along the East line of said Section 16 a distance of 896.45 feet to the point of beginning, containing 10 acres, more or less.

TOGETHER with all of the rights and privileges set forth in that certain contract entered into between W. H. Melchior, et al., and the State of California on the 7th day of October, 1955, which said contract was recorded on October 18, 1955, in Box 369 of Official Records of the County of El Dorado, at Page 599.

# State Water Resources Control Board

Division of Water Rights

Sacramento, Calif

Box 2000

(916) 657-2170

Web Site

(916) 657-2170

California • 95812-2000

http://www.swrcb.ca.gov

SURNAME

Gray Davis  
Governor

## MEMORANDUM

**TO:** Department of Fish and Game A-43  
1416 Ninth Street, 12th Floor  
Sacramento, CA 95814

**FROM:** Whalen Toy  
Sanitary Engineering Associate  
Data Management Unit

**DATE:** AUG 04 1999

**SUBJECT:** INFORMATION FOR UPDATING THE DIVISION OF WATER RIGHTS  
DATABASE

According to the Division of Water Rights' (Division) database, the Department of Fish and Game (Department) has about 100 appropriative water rights and Statements of Water Diversion and Use on file with this agency. The attached listing (Name Index) indicates the various water rights held or claimed by the Department and the contact person or entity presently receiving correspondences and annual reports that related to these diversions.

It was noticed that the rights are not all assigned to a specific or primary mailing address with the Department. We suggest, if appropriate, that the Department designate the primary right holder's mailing address for all its rights and claims as:

Department of Fish and Game  
1416 Ninth Street, 12th Floor  
Sacramento, CA 95814

It is also recommended that the attached list of designated Regional Offices and addresses be updated so we can correct our database. If the Department elects to designate a specific person or regional office to handle all matters pertaining to a particular water right or project, please provide us with the contact name, mailing address and telephone number.

**SURNAME**

LLW 540 REV 2/98

Aug 8/4/99  
California Environmental Protection Agency

Recycled Paper

FINALED BY

5-4690

Department of Fish and Game

2

AUG 04 1999

A number of your regional offices have expressed a concern associating the water right identification number with specific projects. These offices asked if we could somehow identify the project name on our correspondence and database. Presently we are considering your suggestions and ask that the Department provide us with any project name that corresponds to a specific water right(s).

If you have any questions, please contact me at (916) 657-2039.

Attachments

cc: (All with attachments)

Department of Fish and Game, Region 1  
601 Locust Street  
Redding, CA 96001

Department of Fish and Game, Region 1  
619 Second Street  
Eureka, CA 95501

Department of Fish and Game, Region 2  
1701 Nimbus Road  
Rancho Cordova, CA 95670

Department of Fish and Game, Region 3  
PO Box 47  
Yountville, CA 94599

Department of Fish and Game, Region 4  
1234 E. Shaw Avenue  
Fresno, CA 93710

Department of Fish and Game, Region 5  
330 Golden Shore, Suite 50  
Long Beach, CA 90802

Department of Fish and Game, Region 5  
150 S Main Street  
Blythe, CA 92225

bcc: Ron Duff

WTtoy:wt/tvonrotz:7-26-99\eputnam:7-28-99\  
mluna:8-3-99  
u:/wt/DFGWRMEMO

Attachments: Name Index

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810  
901 P ST. SACRAMENTO, CA  
(916) 322-4503

SUPPLEMENTAL STATEMENT OF PRIVATE WATER DIVERSION AND USE

DIVERTER OF RECORD:

CALIF DEPT OF FISH & GAME  
REGION 2  
1701 NIMBUS ROAD  
RANCHO CORDOVA, CA 95670

STATEMENT NO: 004690

TELEPHONE NUMBER:  
(916) 355-7090

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: JAYBIRD CREEK

TRIBUTARY TO: SOUTH FORK AMERICAN RIVER

COUNTY: EL DORADO

DIVERSION

WITHIN: SW1/4 OF SE1/4 SECTION 16, T11N, R11E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1990. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts ☐ Gallons  
below are: ☒ Acre-feet  
☐ \_\_\_\_\_ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1987	Unknown. The water right is for 600 acre-ft per annum, during the period November 1 - April 1. No consumptive use.												
1988													
1989	Evaporation only. The 35 surface acre reservoir is Finnon Reservoir.												

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation \_\_\_\_\_

Stockwatering \_\_\_\_\_

Domestic \_\_\_\_\_

Other (specify) Public Fishing and recreation

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

None

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

N/A

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 4/3/90, 19 90, at RANCHO CORDOVA, California

Signature: Bruce H. Safil

ACTING REGIONAL MANAGER

MAY 21 1990 KSW

Dept. Fish and Game

JAN 02 1991

## GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

Region II

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA  
THE RESOURCES AGENCY  
STATE WATER RESOURCES CONTROL BOARD  
DIVISION OF WATER RIGHTS  
STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S 4690

- A. Name of person diverting water State of California, Dept. of Fish and Game  
Address 1416 Ninth St. Sacramento 95814
- B. Name of body of water at point of diversion Summerfield Ditch, Mesquite Mutual Water Co.  
Tributary to So. Fk. American River
- C. Place of diversion N.W. 1/4 S.W. 1/4 Section 15, Township 11N, Range 11E, M.D. B&M, El Dorado  
County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.
- D. Name of works Finnon Reservoir
- E. Capacity of diversion works Unknown  
Capacity of storage reservoir 400 Acre Feet  
State quantity of water used each month in gallons or acre-feet Unknown - Evaporation only
- | Year | Jan. | Feb. | Mar. | Apr. | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Total Annual |
|------|------|------|------|------|-----|------|------|------|-------|------|------|------|--------------|
| :    | :    | :    | :    | :    | :   | :    | :    | :    | :     | :    | :    | :    | :            |
- If monthly and annual use is not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.  
Non-consumptive
- Maximum annual water use in recent years \_\_\_\_\_  
Minimum annual water use in recent years \_\_\_\_\_  
Type of diversion facility: gravity ☒, pump \_\_\_\_\_  
Method of measurement: weir \_\_\_\_\_, flume ☒, electric power meter \_\_\_\_\_, water meter \_\_\_\_\_, estimate \_\_\_\_\_
- F. Purpose of use (what water is being used for) Recreation

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)

Finnon Reservoir

H. Year of first use as nearly as known Unknown

I. Name of person filing statement John W. Wentzel

Position Field Agent Organization Wildlife Conservation Board

Address 1416 Ninth St., Sacramento 95814

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed Jan. 21, 1969

Signature John W. Wentzel

See Instructions on Reverse Side